Attorney's Docket No.: 09531-092001



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Martin Blumenfeld, et al.

Art Unit: 2877

Serial No.: 09/852,375

Examiner: Tu T. Nguyen

Filed

: May 10, 2001

Title

: IMAGING OF BIOLOGICAL SAMPLES USING ELECTRONIC LIGHT

DETECTOR

Mail Stop Amendment Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

### TRANSMITTAL

The following correspondence relating to this application is enclosed for filing:

- 1. Supplemental Information Disclosure Statement (1 page);
- 2. Form PTO-1449 (2 pages);
- Copies of Cited References (22 references); 3.
- 4. Check in the amount of \$180.00; and
- 5. A Return Postcard.

Please date stamp and return the enclosed postcard. Please apply any charges or credits

to Deposit Account No. 06-1050.

Respectfully

Date:

John A. Dragseth Keg. No. 42,497

Fish & Richardson P.C., P.A. 60 South Sixth Street, Suite 3300 Minneapolis, MN 55402 (612) 335-5070 telephone (612) 288-9696 facsimile

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#### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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	Lisa M. Becker		
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Attorney's Docket No.: 09531-092001 / 99186



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#### MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants request consideration of the references listed on the attached PTO-1449 form. Under 37 C.F.R. § 1.98 (a)(2)(ii), only copies of foreign patent documents and/or non-patent literature are enclosed. Copies of any listed U.S. patents or U.S. patent application publications can be provided upon request.

Submitted herewith are English translations for Desig. ID Nos. AT, AU, and AV.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. A check for \$180 in payment of the late submission fee of  $\S1.17(p)$  is enclosed. Please apply any other charges or credits to Deposit

Account No. 06-1050.

8-29-05 Date:

> John A. Dragseth Reg. No. 42,497

Respectfully submitted

Fish & Richardson P.C., P.A. 60 South Sixth Street, Suite 3300 Minneapolis, MN 55402

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09/02/2005 HDESTA1 00000018 09852375

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August <b>30</b> , 2005				
Date of Deposit	MMM			
Signature	Lisa M. Becker			

Typed or Printed Name of Person Signing Certificate

OIF	Substitute Form PTO-1449 (Modified)
( SEP	0 1 2005 Information
SHEN	(37 CEN \$1.98(b))

U.S. Department of Commerce Patent and Trademark Office

Attorney's Docket No. 09531-092001

Application No. 09/852,375

ormation Disclosure Statement **by Applicant** (Use several sheets if necessary)

Applicant Martin Blumenfeld et al.

Filing Date

Group Art Unit

May 10, 2001 2877

U.S. Patent Documents							
Examiner	Desig.	Document	Publication				Filing Date
Initial	ID ID	Number	Date	Patentee	Class	Subclass	If Appropriate
	AA	4,002,829	01/11/77	Hutchison			
	AB	4,010,364	03/01/77	Fuwa			
	AC	4,600,951	07/15/86	Blitchington			
	AD	4,721,851	01/26/88	Kogure		:	
	AE	4,849,645	07/18/89	Mendenko et al.			
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	AR	2004/0071332	04/15/04	Bruce et al.			

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Tran: Yes	slation No
	AS	GB 1 579 188	11/12/80	UK				X
	AT	4296642	10/21/92	JP	* .		Abst.	
	AU	6148085	05/27/94	JP			Abst.	
	AV	H9-145631	06/06/97	JP			X	

	Other Documents (include Author, Title, Date, and Place of Publication)			
Examiner	Desig.			
Initial	ID	Document		
Examiner Signature Date Considered				
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EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. Department of Commerce Patent and Trademark Office

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Applicant

Application No. 09/852,375

Information Disclosure Statement

by Applicant (Use several sheets if necessary)

Martin Blumenfeld et al.

Filing Date

Group Art Unit 2877

(37 CFR §1.98(b))

May 10, 2001

	Other D	ocuments (include Author, Title, Date, and Place of Publication)
Examiner Initial	Desig. ID	Document
- Initial	AW	Bauer et al., "Reliable and Sensitive Analysis of Occult Bone Marrow Metastases Using Automated Cellular Imaging," Clinical Cancer Research, 2000, 6:3552-3559
	AX	Bianchi and Lo, "Fetomaternal Cellular and Plasma DNA Trafficking, The Yin and the Yang," Ann. N.Y. Acad. Sci., 2001, 945:119-131
	AY	Burchill et al., "Comparison of the RNA-amplification based methods RT-PCR and NASBA for the detection of circulating tumour cells," Br. J. Cancer, 2002, 86:102-109
	AZ	Curry et al., "Detection of Occult Tumor Cells with Fiber Array Scanning Technology (FAST) at Ultra-high Scan Rates," 3 <sup>rd</sup> EORTC-NCI International Meeting on Cancer Molecular Markers: From Discovery to Clinical Practice, April 18-20, 2004, Brussels, Belgium, Abstract, pps. S15-S16
	AAA	Dolan, "Scanning for Cancer," Forbes, August 15, 2005, pp. 73-77
	ABB	European Search Report to EP 03 25 6441 dated 20 January 2004, Examiner G. Waern, Berlin, 2 pages
	ACC	Flatmark et al., "Immunomagnetic Detection of Micrometastatic Cells in Bone Marrow of Colorectal Cancer Patients," Clinical Cancer Research, 2002, 8:444-449
	ADD	Ghossein and Bhattacharya, "Molecular detection and characterisation of circulating tumour cells and micrometastases in solid tumours," European Journal of Cancer, 2000, 36:1681-1694
	AEE	Krivacic et al., "A rare-cell detector for cancer," Proc. Natl. Acad. Sci. USA, 2004, 101(29):10501-10504
	AFF	Méhes et al., "Quantitative Analysis of Disseminated Tumor Cells in the Bone Marrow by Automated Fluorescence Image Analysis," Cytometry (Communications in Clinical Cytometry, 2000, 42:357-362
	AGG	Pertl et al., "Fetal DNA in Maternal Plasma: Emerging Clinical Applications, The American College of Obstetricians and Gynecologists, 2001, 98(3):483-490
	АНН	Pollack, "Center Uses Laser Method to See Cancer," <u>The New York Times</u> , <a href="http://www.nytimes.com/2004/04/19/business/19biotech.html?ei=5070&amp;en=35cb4f3f6c9b">http://www.nytimes.com/2004/04/19/business/19biotech.html?ei=5070&amp;en=35cb4f3f6c9b</a> , August 19, 2004, 1 page
	AII	Werther et al., "The use of the CELLection Kit <sup>TM</sup> in the isolation of carcinoma cells from mononuclear cell suspensions," J. Immunol. Meth., 2000, 238:133-141
	AJJ	Wolfe, "A Thousand Dots of Light," Forbes/Wolfe Nanotech Report, May 29, 2002, page 4
	AKK	Witzig et al., "Detection of Circulating Cytokeratin-positie Cells in the Blood of Breast Cancer Patients Using Immunomagnetic Enrichment and Digital Microscopy, Clin. Cancer Res., 2002, 8:1085-1091
	ALL	"The Palo Alto Research Center and The Scripps Research Institute Partner To Accelerate Discovery Processes in the Life Sciences. Scripps-PARC Institute for Advanced Biomedical Sciences unveils new method aimed at early cancer detection," at <a href="http://www.parc.com/about/pressroom/news/2004-04-19-scripps-parc.html">http://www.parc.com/about/pressroom/news/2004-04-19-scripps-parc.html</a> , printed 8/15/05, 2 pages
	AMM	"Fiber Array Scanning Technology (FAST) Cytometer for Rare Cell Detection," at http://www.parc.com/research/projects/cytometer/images.html, printed 8/15/05, 2 pages
	ANN	"Scanning Laser Spot focuses on top of transparent substrate," at http://www.parc.com/research/projects/cytometer/images/cytometerv2.jpg, printed 8/15/05, 1 page

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if no next communication to applicant.	t in conformance and not considered. Include copy of this form with